had leave to Imparle come again into the general Court here as well the aforesaid William Barclay and Samuel Mc Kean by their attorney aforesaid as the said Jane Winter William Campbell and John S Haw executors as aforesaid by their attorney aforesaid And thereupon on motion of the aforesaid William Barclay and Samuel Mc Kean by their attorney aforesaid It is ruled by the court here that the said Jane Winter William Campbell and John S Haw executors as aforesaid answer to the Declaration aforesaid of the aforesaid William Barclay and Samuel Mc Kean on the plea aforesaid or Judgment by the court here will be entered against them in default thereof: and the said Jane Winter, William Campbell and John S Haw executors as aforesaid by their attorney aforesaid defend the force and injury when and so forth and pray further leave of the court here to Imparle until the second tuesday of October next, and then to answer to the Declaration aforesaid of the aforesaid William Barclay and Samuel Mc Kean in the plea aforesaid, and to them it is granted the same day is given to the said William Barclay & Samuel Mc Kean also.

At which said second tuesday of October being the fourteenth day of the same month in the year of our Lord one thousand eight hundred to which said day the said the said Jane Winter, William Campbell and John S Haw executors as aforesaid had further leave to Imparle and then to answer to the Declaration aforesaid of the said William Barclay and Samuel Mc Kean in the plea aforesaid, come again into the general Court here as well the aforesaid William Barclay and Samuel Mc Kean by their attorney aforesaid as the said Jane Winter William Campbell and John S. Haw executors as aforesaid by their attorney aforesaid: and the said Jane Winter, William Campbell and John S Haw executors as aforesaid by their attorney aforesaid (as before) defends the force and injury when and so forth and saith that the aforesaid William Barclay and Samuel Mc Kean their action aforesaid against them to have or maintain ought not and so forth because they say that the said Walter Winter in his life time did pay unto the aforesaid William Barclay and Samuel Mc Kean the such sum of money in the condition of the said writing obligatory and this they are ready to verify wherefore they pray Judgment if the aforesaid William Barclay and Samuel Mc Kean their action aforesaid against them to have or maintain ought and so forth.

And the said Jane Winter, William Campbell and John S Haw executors as aforesaid with the leave of the Court here according to the form of the statute in such case made and provided further defend the force and Injury when and so forth and say that the aforesaid William Barclay and Samuel Mc Kean their action aforesaid against them to have or maintain ought not because they say that they have fully administered all and singular the goods and chattels which belonged to the aforesaid Walter Winter at the time of his death in their hands to

be administered and that they have no goods or chattels which belonged to the said Walter Winter at the time of his death in their hands to be administered nor had on the day of the Impetration of the original writ in this cause nor ever after: and this they are ready to verify, wherefore they pray Judgment if the aforesaid William Barclay and Samuel Mc Kean their action aforesaid against them to have or maintain ought and so forth.

And the aforesaid William Barclay and Samuel Mc Kean by their attorney aforesaid say that they by any thing by the said Jane Winter, William Campbell and John S Haw executors aforesaid in their first plea above by pleading alledged from having or maintaining their action aforesaid against them ought not to be precluded because they say that the said Walter Winter in his life time did not pay unto them the aforesaid William Barclay and Samuel Mc Kean the aforesaid sum of money in the condition aforesaid mentioned with the Interest thereon in such manner and form as the said Jane Winter, William Campbell and John S Haw executors as aforesaid above in pleading have alledged and this they pray may be enquired of by the country, and the said Jane Winter, William Campbell and John S. Haw executors as aforesaid in like manner and so forth.

And the said William Barclay and Samuel Mc Kean as to the second plea of the said Jane Winter, William Campbell and John S Haw executors as aforesaid by them above pleaded by way of replication thereunto say that they ought not to be precluded from having and maintaining their action aforesaid by any thing in the plea of the said Jane Winter, William Campbell and John S. Haw executors as aforesaid alledged because they say that the said Jane Winter William Campbell and John S Haw executors as aforesaid at the time of the Impetration of the writ aforesaid in this cause and since had in their hands unadministered goods and chattels rights and credits which were of the aforesaid Walter Winter at the time of his death sufficient to have paid and satisfied the said William Barclay and Samuel Mc Kean their debt aforesaid, to wit at Charles county aforesaid, and this they pray may be enquired of by the country, and the said Jane Winter, William Campbell, and John S. Haw executors as aforesaid in like manner and so forth

Therefore let a Jury thereon appear before the court here on the second tuesday of May next, by whom and so forth and who neither and so forth, to recognize and so forth, because as well and so forth the same day is given to the said parties then and there and so forth.

And now at this day to wit the said second tuesday of May being the twelfth day of the same month in the year of our Lord one thousand eight hundred and one, come again into the general Court here, as well the aforesaid William Barclay and Samuel Mc Kean by their attorney aforesaid, as the said Jane Winter, William Campbell and John S Haw executors as aforesaid by their attorney aforesaid. Nevertheless the said Jane Winter, William Campbell and

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